

Supp. # 40
S. Byrce
4/1/02

Certificate of Facsimile

Docket No. 23915-7319

[] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner David Willse at Facsimile No. (703) 308-2708.

Dated: 3-26-02Name of Person Certifying: Pam Pascual

Printed Name: Pam Pascual

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas A. Silvestrini
Filing Date: July 15, 1996
Serial No.: 08/596,221
Title: SEGMENTED PLIABLE INTRASTROMAL CORNEAL INSERT

Assignee:
Examiner: D. Willse
Group Art Unit: 3738

Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

In advance of prosecution of the subject application, please preliminarily amend the above-identified application as follows:

IN THE CLAIMS:

Please amend claims 28 and 35 as follows:

28. (Amended) An insert precursor suitable for introduction into a human cornea, said insert precursor comprising a physiologically compatible pliable member having two ends and an elongated body extending there between, the body comprising at least two adjoining portions at least one of which is constructed to effect correction of refractive disorder of the eye after implantation, the cross-sectional area of said member changing substantially stepwise from one portion to the next along the body.

35. (Amended) An implant comprising [multiple] axially contiguous sections each adapted for implantation within the cornea of a human eye, said sections having substantially different cross-sections from each other and having a modulus of elasticity less than about 3.5 kpsi, at least one of said sections being adapted to effect correction of a refractive disorder of the eye.

Please add claims 38-41 as follows:

38. (new) The device of claim 23 wherein said section is arcuate.
39. (new) The device of claim 23 wherein the sections is axially contiguous.